

**IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF MISSISSIPPI**

ABERDEEN DIVISION

MOSE LEE SUDDUTH, JR.

PLAINTIFF

vs.

CAUSE NO.:1:18-CV-051-SA-DAS

LOWNDES COUNTY, MISSISSIPPI,

ROGER COLEMAN, AND NORTH ATLANTIC

SECURITY COMPANY

DEFENDANTS

AFFIDAVIT OF MOSE LEE SUDDUTH, JR.

COMES NOW MOSE LEE SUDDUTH, JR., the Plaintiff in the above styled and numbered cause, and makes this, his AFFIDAVIT, based on his own personal knowledge. I am competent to testify on the matters stated herein, and I believe that said facts and matters would be admissible in evidence. Therefore, based upon my oath, I do depose and state as follows:

1. My name is Mose Lee Sudduth, Jr. I am 65 years old. I have been licensed to practice law in Mississippi for forty (40) years.
2. I have practiced law in Lowndes County, Mississippi since 1978. I maintained a law office in Columbus, Mississippi from 1978 until 2009.
3. Mine is a general law practice with emphasis on criminal law. During my career, a substantial portion of my practice has been in the Lowndes County, Mississippi Justice Court.
4. By local practice, attorneys, as officers of the Court, such as me are not obligated to pass through metal detectors when entering courthouses in Lowndes County, Mississippi.

5. I passed through the entrance at the Lowndes County, Mississippi Justice Court and spoke to the security guard, Roger Coleman. He tried to stop me, and I told him that I was a lawyer. Despite the fact that I told Coleman that I was a lawyer, he said, "You're a lawyer; you gotta go through this real quick," pointing to the metal detector. I walked over to the Clerk's window, and passed a motion through the window to the clerk, saying, "Hey, Peg, do you want file this for me?" I then handed my pocket knife to Coleman and asked him if he wanted to check it for me. Coleman took possession of the knife. Coleman directed the Clerk to hand him the Motion I had just filed with her. She handed the Motion back to Coleman. I told the Clerk that I needed her to file it. Coleman asked the clerk if I was a lawyer. She told him that I was. Then, the clerk went to get the actual Justice Court Clerk, Ms. Linder Erby.

6. She, the Clerk of the Justice Court, verified to Coleman that I was a lawyer. Coleman then acknowledged that I was a lawyer. Nonetheless, Coleman held the Motion that I was trying to file, and told me that it was not going to be filed that day, but that I would have to come back on Monday to file it. The Clerk took possession of the Motion to file it. I asked Coleman to give me my knife back as I was finished with my business. Coleman refused, and claimed that I was disrespecting the clerk. I was not, in fact, I referred to Ms. Erby as "baby". I told him that I was finished with my business. Coleman refused to give me back my knife. I then asked the Clerk if one of the judges was in. As I was asking the Clerk if one of the judges was in, Coleman asked me if I was going to leave, or did he have to drag me out.

7. I continued to ask Coleman to return the knife to me. He continued to refuse to do so. I told Coleman to give the knife to Ms. Erby, the Clerk, and I would pick it up Monday. Coleman ignored me, and kept demanding that I leave the Justice Court. He then tackled me, threw me to the ground, and dragged me out of the building by my left arm for more than thirty (30) feet, depositing me on the sidewalk. I was injured, and my watch was broken.

8. My wife who was in the car, called 911.

FURTHER, AFFIANT SAITH NOT.

SWORN TO AND SUBSCRIBED before me, on this the 24th day
of May, 2018.


MOSE LEE SUDDUTH, JR.

Rebecca Anne Subbute

NOTARY PUBLIC

(SEAL)

My Commission Expires:

9-10-2020